



<b>AMENDMENT TRANSMITTAL LETTER</b>				Docket No. SPINE 3.0-029	
Application No. 09/388,726	Filing Date September 2, 1999	Examiner B. Pellegrino	Art Unit 3738		
Applicant(s): Howard An, Yves Crozet, and Todd Harrington					
Invention: DISTRACTABLE CORPECTOMY DEVICE					
<b>TO THE COMMISSIONER FOR PATENTS</b> Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.					
<b>CLAIMS AS AMENDED</b>					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
<b>Total Claims</b>	40	- 40 =	0	x	0.00
<b>Independent Claims</b>	8	- 8 =	0	x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify):					
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:</b>					0.00
<input checked="" type="checkbox"/> Large Entity <span style="margin-left: 200px;"><input type="checkbox"/> Small Entity</span>					
<input checked="" type="checkbox"/> No additional fee is required for this amendment.					
<input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. A duplicate copy of this sheet is enclosed.					
<input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge and credit Deposit Account No. <u>12-1095</u> as described below. A duplicate copy of this sheet is enclosed.					
<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.					
 Kimberly V. Perry Attorney Reg. No.: 43,612				Dated: <u>August 9, 2002</u>	
LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP 600 South Avenue West Westfield, New Jersey 07090 (908) 518-6361					
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box Non-Fee Amendment, Commissioner for Patents, Washington, DC 20231, on the date shown below. Dated: August 9, 2002      Signature:  (Kimberly V. Perry)					

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Dated: August 9, 2002 Signature: *[Signature]*

(Kimberly V. Perry)

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Docket No.: SPINE 3.0-029  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
An et al.

Application No.: 09/388,726

Group Art Unit: 3738

Filed: September 2, 1999

Examiner: B. Pellegrino

For: DISTRACTABLE CORPECTOMY DEVICE

Commissioner for Patents  
Washington, DC 20231

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AMENDMENT

Dear Sir:

In response to the Official Action mailed April 9, 2002, in which claims 1-15, and 18-26 were rejected, and claims 27-33 were allowed, Applicants submit the following amendments and remarks.

IN THE CLAIMS

CLEAN COPY OF AMENDED CLAIMS:

4. (Thrice Amended) The corpectomy device of claim 41 wherein said locking clip and said second member includes interengaging threads for locking said first member and said second member in a relative axial position with respect to one another, said locking clip being rotatably mounted on said first member for rotation into and out of engagement with said threads.

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